

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TRUSTEES OF THE NATIONAL RETIREMENT
FUND,

Plaintiffs,

-against-

INTERNATIONAL VEILING CORP. and JOHN DOES
1-10 (all other trades or businesses under common
control with INTERNATIONAL VEILING CORP.),

Defendants.

20-cv-01449 (KMK)(PED)

**STIPULATION TO
ENTRY OF DEFAULT
JUDGMENT BY CONSENT**

WHEREAS, plaintiffs Trustees of the National Retirement Fund (the “Fund”) have commenced the above-captioned action in the United States District Court for the Southern District of New York to collect outstanding withdrawal liability, interest, liquidated damages, costs, and attorneys’ fees (the “Action”); and

WHEREAS, defendant International Veiling Corp. (“International Veiling”) has not appeared, answered, or otherwise moved with respect to the Complaint, and the time for appearing, answering or moving having expired, and the Court having issued its Order to Show Cause requiring defendant International Veiling to show cause before the Court why a Default Judgment should not be entered against Defendant International Veiling, and the Court having held a hearing pursuant to the Order to Show Cause, and Defendant International Veiling having failed to appear at the show cause hearing; and

WHEREAS, Gary N. Marks, Assignee for the Benefit of Creditors of International Veiling, an amicus non-party ("the Assignee"), appeared in the Action to object to the proposed Default Judgment presented to the Court by the Fund, and the Fund thereafter opposed the non-party Assignee's objections; and

WHEREAS, the Assignee and the Fund hereto wish to resolve, fully and finally, the Assignee's objections to the Fund's application for a Default Judgment in the Action solely on the following terms and conditions.

IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-captioned action:

1. The above recitals are fully incorporated as substantive terms of this Stipulation to Entry of Default Judgment by Consent ("Stipulation").
2. The Assignee hereby withdraws its objections presented in the Action and consents to entry of a Default Judgment in favor of the Fund in the form Default Judgment annexed hereto as Exhibit "A."
3. The Assignee and the Fund represent that the representatives executing this Stipulation on behalf of each of them have full authority to do so.

4. The Assignee and the Fund shall each bear their own fees and costs incurred in the Action.

Dated: September 10, 2020
White Plains, New York

TRUSTEES OF THE NATIONAL RETIREMENT FUND, Plaintiffs

By: 
David C. Sapp

Amalgamated Employee Benefits
Administrators, Inc.
Attorneys for Plaintiffs
333 Westchester Avenue
North Building – First Floor
White Plains, New York 10604
Telephone: (914) 367-5576
davidsapp@amalgamatedbenefits.com

GARY N. MARKS, ASSIGNEE FOR THE BENEFIT OF CREDITORS OF INTERNATIONAL VEILING CORP., Amicus

By: 
Edward G. Sponzilli

Norris McLaughlin P.A.
Attorneys for Assignee
7 Times Square
21st Floor
New York, New York 10036
Telephone: (908) 252-4166
esponzilli@norris-law.com

SO ORDERED:


Honorable Kenneth M. Karas
U.S.D.J.
9/21/20